

EXHIBIT E



1700 G Street NW, Washington, D.C. 20552

March 22, 2024

Timothy P. Ofak, Esq.
Weiner Brodsky Kider PC
1300 19th Street NW, Fifth Floor
Washington, DC 20036
ofak@thewbkfirm.com

Dear Mr. Ofak,

This letter concerns Freedom Mortgage Corporation's (Freedom) third modified Interrogatory No. 6, as proposed via email to the Bureau on March 21, 2024:

6. Since 2019, if any covered institution resubmitted HMDA data, identify the following for each such resubmission:
 - a. A placeholder identifier instead of providing the name of the covered institution;
 - b. The date the HMDA data was submitted in accordance with 12 C.F.R. § 1003.5(a)(1)(i);
 - c. The date the HMDA data was resubmitted;
 - d. *The total number of changes between the submission and the resubmission; and*
 - e. The total number of errors, as that term is used in ¶ 35 of the Complaint, in the original HMDA submission, *to the extent that the CFPB previously determined the total number of errors* (emphasis added).

In its March 21 email, Freedom also stated that “this Interrogatory only requests information concerning the CFPB’s determination of whether an error existed; it does not ask for the CFPB’s determination as to whether any error was ‘bona fide.’”

The Bureau will not substantively respond to this modified Interrogatory. Freedom's latest modifications still fail to resolve the Bureau's stated objections, as Freedom's modified request continues to seek information that: (i) constitutes confidential information protected by law enforcement, bank examination, and deliberative process privileges; (ii) is not relevant to the subject matter of this case—i.e., Freedom's alleged violations of law; and (iii) is not proportional to the needs of the case, and that imposes an undue burden on the Bureau that outweighs any likely benefit.

Freedom's third version of its Interrogatory No. 6 would still require the Bureau to expend massive resources to determine how many of the 4,000-5,000 institutions who submit HMDA each year resubmitted data, when the data was resubmitted, the "total number of changes" and the "total number of errors," all across a five-year period. To the extent Freedom is not asking the Bureau to provide "new analysis," any such existing analysis of confidential supervisory information is protected from disclosure by the law enforcement, deliberative process, and bank examination privileges. Even if the information were not privileged, it is simply not relevant to the allegations and counts in the Bureau's Complaint against Freedom so its production would not be proportional to the needs of the case.

For these reasons, and those stated in the Bureau's previous objections and March 20 letter, the Bureau objects to and will not substantively respond to Freedom's latest version of its Interrogatory 6.

Sincerely,

Hallie Ryan
Senior Counsel
Consumer Financial Protection Bureau